IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

CHAMBER SUMMONS NO. 1509 OF 2004
IN
SUIT NO. 886 OF 1973

Jethabhai Narsi Malde & Ors.....Plffs
vs.
Parvatibai (deceased)
Piyaralal Dayaram Kandhari
and Anr. .....Defendants
AND
Himatlal Lalchand Pawa
and Nanr. ....Applicants

B.M. yadav afor the applicants.

Ms. N.J. Pandya i/b. M. Memon for the plffs.

Ms. J.N. Pandhi for defendant no.2/Resp.

D.R. Dhuart, 1st Asstt to Court Receiver present.

CORAM: S.U. KAMDAR, J.

DATE : 2ND MAY, 2005.

P.C. :

1. The present chamber summons is taken out for discharge of the court receiver. Suit is already

disposed off. However learned counsel appearing for the respondent no.2 states that there are certain income tax dues payable to the second respondent by the defendant no.1 and the said payment should be made first before the court Receiver is discharged. Respondent no.2 is directed to lodge the claim with the court receiver. Court Receiver will ascertain whether the claim is correct or not. If the claim is correct and proper the court receiver is directed to make payment to respondent no.2 towards the income tax dues. If the claim is not correct the court receiver will make report to the court inter-alia rejecting the claim of respondent no.2. After undertaking the aforesaid exercise if there is any balance outstanding the same to be paid to the applicants and the Court Receiver to stand discharged after the aforesaid distribution of the amount. Chamber summons disposed off accordingly with no order as to costs.

sd/-

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